

Appln. No.: 10/523,753

**REMARKS****I. THE RENUMBERING OF CLAIMS**

In the claim set submitted on April 18, 2007 there were two claims numbered 18. Applicants renumber claims 18 (second occurrence), 19 and 20 as 19, 20 and 21, respectively.

**II. THE REJECTION UNDER 35 U.S.C. § 112, 2<sup>ND</sup> PARAGRAPH**

The Office Action rejects claims 14-20 (now 14-21) under 35 U.S.C. § 112, second paragraph. In particular the Office Action asserts that "it is not clear what is the difference between the process of claim 1 and the process of claim 14." In response, Applicants submit claim 1 and 14 (and also claim 18) differ in that claim 1 recites a process to prepare the E isomer, the Z isomer and mixtures thereof, wherein claim 14 (and claim 18) recites a process to prepare the (E) isomer only. Claim 14 (and claim 18) and claim 10 also differ in that claim 10 recites a process to prepare the N-oxide, pharmaceutically acceptable acid addition salt, or quaternary amine of the (E) isomer, wherein claim 14 (and claim 18) recites the (E) isomer or a pharmaceutically acceptable salt of the (E) isomer. Claims 14 and 18 are amended herein to clarify this distinction.

Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are respectfully requested.

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**III. CONCLUSION**

Should the Office require anything further, it is invited contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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